

EXHIBIT 2

1 IN THE UNITED STATES DISTRICT COURT
 2 FOR THE EASTERN DISTRICT OF VIRGINIA
 3 Richmond Division
 4
 5 -----+
 6 ePLUS iNC., |
 7 Plaintiff, |
 8 | Civil Action No.
 9 vs. | 3:09-CV-620 (JRS)
 10 |
 11 LAWSON SOFTWARE, INC., |
 12 Defendant. |
 13 -----+
 14 Videotaped Deposition of PAMELA ENG
 15 Washington, DC
 16 May 25, 2010
 17 10:33 a.m.
 18
 19 Job No. 1-179503
 20 Pages 1 - 62
 21 Reported by: Michele E. Eddy, RPR, CRR, CLR

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 3 A P P E A R A N C E S
 4
 5 ON BEHALF OF THE PLAINTIFF:
 6 SCOTT L. ROBERTSON, ESQUIRE
 7 Goodwin Procter
 8 901 New York Avenue, Northwest
 9 Washington, DC 20001
 10 Telephone: (202) 346-4000
 11
 12 ON BEHALF OF THE DEFENDANT:
 13 WILLIAM D. SCHULTZ, ESQUIRE
 14 Merchant & Gould
 15 3200 IDS Center
 16 80 South Eighth Street
 17 Minneapolis, Minnesota 55402
 18 Telephone: (612) 332-5300
 19
 20 ALSO PRESENT:
 21 Cali Day, Videographer
 22

1
 2 Videotaped Deposition of
 3 PAMELA ENG
 4 Held at the offices of:
 5
 6 GOODWIN PROCTER, LLP
 7 901 New York Avenue, Northwest
 8 Washington, DC 20001
 9 (202) 346-4000
 10
 11 Pursuant to Notice, before Michele E. Eddy,
 12 Registered Professional Reporter, Certified Realtime
 13 Reporter, and Notary Public in and for the District of
 14 Columbia.

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 15 Exhibit 6 Bates ePLUS0218032 - 056; entitled 47
 16 Fisher Electronic Sourcing, Assessment
 17 and Proposal; dated 2-15-95
 18 Exhibit 7 Fax transmission cover sheet to Herb 52
 19 Kem from Charles Gounaris dated 2-14-94;
 20 Bates ePLUS0212757 - 61; second page
 21 entitled IBM Agreement for Exchange
 22 of Confidential Information
 23 Exhibit 8 Fisher/IBM Master Schedule Plan 56

<p>1 A Yes.</p> <p>2 Q Okay. Did you search for and identify and 3 produce any communications you had with them?</p> <p>4 A No.</p> <p>5 (Exhibit 1 was marked for identification and 6 attached to the deposition transcript.)</p> <p>7 BY MR. ROBERTSON:</p> <p>8 Q I'm going to mark the first exhibit, which 9 is going to be the deposition notice and a subpoena. 10 I'd ask you if you would take a look at that.</p> <p>11 Have you -- my first question is, after 12 you've had a chance to peruse it, have you seen that 13 document before, Miss Eng?</p> <p>14 A Yes.</p> <p>15 Q Do you see that there was a subpoena 16 attached to it?</p> <p>17 A Yes.</p> <p>18 Q And it asks you to search for certain 19 documents. Did you see that?</p> <p>20 A Yes.</p> <p>21 Q Okay. Did you do that?</p> <p>22 A Well, I looked for my folder that I had</p>	<p>9</p> <p>1 date in time; do you recall that?</p> <p>2 A I'm not sure what happened after I left.</p> <p>3 QOkay. But in any event, when you left IBM, 4 you understood that you shouldn't take any documents 5 with you; is that right?</p> <p>6 A Right.</p> <p>7 Q IBM has a policy about employees that are -- 8 that leave the company not to take IBM documents, 9 correct?</p> <p>10 A Correct.</p> <p>11 Q Now, when you -- you indicated that -- or at 12 least I understood you to indicate that you may have 13 obtained some documents at a later time. Is that 14 right? Let me rephrase the question.</p> <p>15 If you don't understand my question at all, 16 just let me know and I'll try to restate it.</p> <p>17 All right. At some later time you were 18 provided some documents, IBM documents, correct?</p> <p>19 A Yes.</p> <p>20 QOkay. How did you obtain those, if you 21 recall?</p> <p>22 A Well, the law firm gave me some of them.</p>
<p>10</p> <p>1 because I did have a lot of documents from the first 2 time in the SAP matter, but I couldn't -- I threw it 3 away, I think.</p> <p>4 Q Those documents from the SAP matter, they 5 were given to you by counsel for SAP at the time in 6 that matter, correct?</p> <p>7 A Some of them, yes.</p> <p>8 Q Okay. When you left the employ of IBM, did 9 you take any IBM documents with you?</p> <p>10 A No. But I still knew people that -- that 11 worked there last time.</p> <p>12 Q But -- let me ask you, when did you leave --</p> <p>13 A 1995.</p> <p>14 Q All right. So that was shortly after this 15 electronic sourcing project, that's how I'm going to 16 refer to it today if that's all right --</p> <p>17 A Okay.</p> <p>18 Q -- was completed, correct?</p> <p>19 A I don't think it was completely completed.</p> <p>20 Q Okay. There were some additional things 21 that -- that occurred, such as transitioning the 22 electronic sourcing project to the Internet at a later</p>	<p>12</p> <p>1 Q Okay. Did you contact anybody at IBM in the 2 time frame to see if you could obtain documents?</p> <p>3 A Yes.</p> <p>4 Q Who did you speak to?</p> <p>5 A Well, I don't know if he still worked there 6 then. I can't remember. I tried to call Al Roland, 7 Kevin French, that I can think of.</p> <p>8 Q So let me just break that up. Was 9 Mr. French still with IBM back in --</p> <p>10 A No, he was not.</p> <p>11 Q We have to be careful not to talk over each 12 other, okay? Because it really makes a mess of the 13 record. So just be patient, let me finish and then 14 I'll let you give me your answer.</p> <p>15 So Mr. French wasn't with IBM at the time 16 you contacted him; is that right?</p> <p>17 A Right.</p> <p>18 Q Did Mr. French have any documents?</p> <p>19 A No.</p> <p>20 Q Was Mr. Roland with IBM at the time you 21 contacted him?</p> <p>22 A I can't remember.</p>